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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/676,887	09/30/2003	Steven M. Bennett	42P16348	8115	
7590 05/23/2006			EXAMINER		
Marina Portnova			AUVE, GLENN ALLEN		
BLAKELY, SO	OKOLOFF, TAYLOR	& ZAFMAN LLP			
Seventh Floor			ART UNIT	PAPER NUMBER	
12400 Wilshire Boulevard			2111	· <u>• · · · · · · · · · · · · · · · · · ·</u>	
Los Angeles, CA 90025			DATE MAILED: 05/23/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of their may be available under the provisione of 37 CFR 1.136(a). In a overal, however, may a reply be timely filed If NO period for reply is specified above, the maximum stability period will apply and will expire SX (6) MONTHS from the mailing date of this communication. Failube to preply within the sof or excended period for reply will, by falsely cause the application to become ABANDED(53 U.S. C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any cemeral patient turn adjustment. The 27 CFR 1.70(b). Status 1) Responsive to communication(s) filed on		Application No.	Applicant(s)	
Clenn A Auve 2111		10/676,887	BENNETT ET AL.	
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Editations of time may be available under the provides of 37 cft 1.35(a), he a vert, mover, may a reply be limbyl field of the six (6) MONTHS from the mailing date of this communication. FIVO periods the reply is specified above, the mademun adultably printed will expire SIX (6) MONTHS from the mailing date of this communication. FIVO periods the reply is specified above, the mademun adultably printed will expire SIX (6) MONTHS from the mailing date of this communication. FIVO periods the reply is applicated on the mademunication of the provided will be provided by the beautiful printed will expire SIX (6) MONTHS from the mailing date of this communication, even if timely filled, may reduce any sented patient term dejustrament. See 37 cFR 1.704(b). Status 1) Responsive to communication(s) filled on	Office Action Summary	Examiner	Art Unit	
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. □ Extensions of time may be available under the provisions of 37 CFR 1.136(a). In or event, however, may a reply be timely filed □ If NO period for reply is specified above, the maximum statutions period will apply and will explay as X(s) (MONTHS from the mailing date of this communication. □ Failure to reply visitin the set or extended prioritor for early vill, by datable, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office with the three monitors after the mailing date of this communication, even if timely filed, may reduce any example part term adjustment. Set 97 CFR 1.764(b). Status 1) □ Responsive to communication(s) filed on		Glenn A. Auve	2111	
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In a event, 136(b), in the vent,		ears on the cover sheet with	the correspondence address	;
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2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-24 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-16 is/are allowed. 6) Claim(s) 1-16 is/are allowed. 7) Claim(s) 1-24 is/are rejected. 7) Claim(s) 1-24 is/are objected to. 8) Claim(s) 1-25 is/are objected to. 8) Claim(s) 1-25 is/are objected to. 8) Claim(s) 1-25 is/are objected to by the Examiner. 10) The specification is objected to by the Examiner. 10) The drawing(s) filed on 30 September 2003 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 1. 2 opies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.	Status			
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1) U Notice of References Cited (PTO-892)		🗂		
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) — Paper No(s)/Mail Date				•
7) Notice of Dialisperson's Fatement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) Notice of Inf	ormal Patent Application (PTO-152)	

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DETAILED ACTION

Information Disclosure Statement

1. Applicant has filed a number of Information Disclosure Statements (IDSs) with a total of over 200 references. The vast majority of these references do not appear to be in any way relevant to the claimed invention. Applicant should only cite those references that relate to the claimed invention.

Claim Rejections - 35 USC § 112

- 2. The following is a quotation of the second paragraph of 35 U.S.C. 112:
 - The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 3. Claims 17-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 is rejected based on lack of positive antecedent basis of "the interrupt" on line

4.

Claims 18-20 are rejected because they depend on claim 17.

Claim Rejections - 35 USC § 101

- 4. 35 U.S.C. 101 reads as follows:
 - Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.
- 5. Claims 21-24 are not limited to tangible embodiments. In view of Applicant's disclosure, specification paragraph [0014], the machine-readable medium is not limited to tangible embodiments, instead being defined as including both tangible embodiments (e.g. floppy

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diskettes, optical disks, Compact Disc, Read-Only Memory (CD-ROMs), and magneto-optical disks, Read-Only Memory (ROMs), Random Access Memory (RAM), Erasable Programmable Read-Only Memory (EPROM), Electrically Erasable Programmable Read-Only Memory (EEPROM), magnetic or optical cards, flash memory) and intangible embodiments (e.g. a transmission over the Internet, electrical, optical, acoustical or other forms of propagated signals (e.g., carrier waves, infrared signals, digital signals, etc.) or the like). As such the claims are not limited to statutory subject matter and is therefore non-statutory.

Allowable Subject Matter

- Claims 1-16 are allowed.
- 7. Claims 17-20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
- 8. The following is a statement of reasons for the indication of allowable subject matter: Independent claims 1,13 and 17 include the limitation of determining whether the interrupt is to be acknowledged prior to the transition of control to the VMM in combination with the other steps or elements in the claims. This limitation does not appear to be present in the prior art. It is noted that the PCT search report for application PCT/US2004/032111 cited the patent to Hirosawa et al (U.S. Pat. No. 4,812,967) as an "X" reference for claims 1-24. However, it does not appear that this reference shows the limitations noted above.

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Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn A. Auve whose telephone number is (571) 272-3623. The examiner can normally be reached on M-F 8:00 AM-5:30 PM, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Glenn A. Auve Primary Examiner Art Unit 2111

gaa 17 May 2006